

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

WILLIAM BEVERLY HODGES, 4th, Plaintiff,)	
)	Civil Action No. 7:23cv00122
)	
v.)	<u>MEMORANDUM OPINION</u>
)	
SHERIFF LANE PERRY et al., Defendants.)	By: Robert S. Ballou
)	United States District Judge

Plaintiff, proceeding *pro se*, filed a civil rights complaint, pursuant to 42 U.S.C. § 1983. By order entered February 27, 2023, the court directed the plaintiff to notify the court in writing immediately upon plaintiff's transfer or release and provide a new address. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice.

On May 2, 2023, mail from the court to the plaintiff was returned as undeliverable, indicating that plaintiff had been released from custody. On further inquiry, the court was advised that plaintiff had been released from custody on March 28, 2023. To date, plaintiff has not advised the court of a new address. Accordingly, the court will dismiss the action without prejudice. Plaintiff may refile the claims in a separate action once plaintiff is prepared to comply with the noted conditions.

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying Order to plaintiff.

Enter: May 19, 2023

/s/ Robert S. Ballou

Robert S. Ballou
United States District Judge